

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
) 8:98CR69-2
 Plaintiff,)
)
 v.)
)
 TOMMIE THOMPSON,) MEMORANDUM
) AND ORDER
)
 Defendant.)

The defendant has filed or tendered for filing a motion (filing 153) that I construe as seeking a reduction of sentence pursuant to the retroactive amendments to the "crack" Guidelines. The Court has developed procedures to deal with such a motion. Therefore,

IT IS ORDERED that:

1. Pursuant to the Court's General Order 2008-02, the Federal Public Defender is herewith appointed to represent the defendant. The Clerk's office shall provide the defendant with a copy of this order.
2. No later than December 31, 2009, the probation office shall provide the undersigned *and* counsel of record with a "Retroactive Sentencing Worksheet." If the officer requires additional time, a request may be made to the undersigned by e-mail. The Clerk's office shall provide the Probation Office with a copy of this order.
3. No later than January 15, 2010, counsel of record shall confer and do one of the following:

- A. File a stipulation containing the following provisions: (i) an agreement that the defendant is eligible for a sentence reduction pursuant to 18 U.S.C. § 3582(c) and U.S.S.G. § 1B1.10; (ii) an agreement that the defendant may be resentenced without being present and without further notice; and (iii) an agreement regarding the recommended sentence.
- B. In lieu of the stipulation provided in paragraph A, counsel for the government shall contact my judicial assistant and arrange a telephone conference with the undersigned and counsel for the defendant so that further progression of this case may be scheduled.

4. The application to proceed in forma pauperis (filing 155) is granted.

Dated November 16, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge